

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-JFA
)	
GOOGLE LLC,)	
)	
Defendant.)	

MOTION FOR ADVERSE INFERENCE

Plaintiffs respectfully move for an adverse inference, arising from Google’s intentional deletion of chat evidence, or, in the alternative, a different sanction that would “cure the prejudice” to Plaintiffs, Fed. R. Civ. P. 37(e)(1), and would “serve the prophylactic, punitive, and remedial rationales underlying the spoliation doctrine.” *Silvestri v. Gen. Motors Corp.*, 271 F.3d 583, 590 (4th Cir. 2001). The grounds for this motion are set forth in the accompanying memorandum of law. A proposed order is attached.

Dated: August 2, 2024

Respectfully submitted,

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